



11 DEC 2007

FISH & RICHARDSON PC
P.O. BOX 1022
MINNEAPOLIS MN 55440-1022

In re Application of
KRESSNER et al.
Application No.: 10/577,203
PCT No.: PCT/EP04/12000
Int. Filing Date: 23 October 2004
Priority Date: 29 October 2003
Attorney Docket No.: 02894-754US1 06798
For: ELECTRIC DRIVE UNIT FOR
GENERATING AN OSCILLATING
DISPLACEMENT

DECISION ON
DECLARATION

This decision is on the submission of a declaration under PCT Rule 4.17, filed in the United States Patent and Trademark Office on 24 September 2007 in the above referenced application.

BACKGROUND

On 23 October 2004, applicant filed international application PCT/EP04/12000, claiming a priority date of 29 October 2003. A copy of the international application was communicated to the United States Patent and Trademark Office (USPTO) from the International Bureau on 12 May 2005. The deadline for entry into the national stage in the United States was 29 April 2006.

On 27 April 2006, applicant filed a submission for entry into the national stage in the United States which was accompanied by, *inter alia*, the basic national fee.

On 09 February 2007, the Office mailed Notification of Missing Requirements indicating that an oath or declaration, in compliance with 37 CFR 1.497(a) and (b), was required.

On 09 April 2007, applicant submitted a declaration under PCT Rule 4.17 in the German language executed by the inventors. On 23 August 2007, a decision was mailed explaining that the declaration submitted on 09 April 2007, in response to the Notification of Missing Requirements, was filed under PCT Rule 4.17 and signed by the inventors but the declaration did not identify the international application to which it is directed and thus, did not comply with 37 CFR 1.497(a) and (b). A newly executed declaration was required.

On 24 September 2007, applicants filed a response including a newly executed declaration.

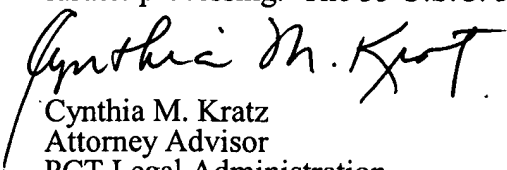
DISCUSSION

A review of the newly executed declaration reveals that it meets the requirements of 37 CFR 1.497(a) and (b) and is acceptable as it identifies the international application to which it is directed and identifies all the inventors, along with their respective mailing address, residency and citizenship.

CONCLUSION

The newly executed declaration is acceptable and in compliance with 37 CFR 1.63 and 1.497(a) and (b).

The application will be forwarded to the United States Designated/Elected Office for further processing. The 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date is 24 September 2007.



Cynthia M. Kratz
Attorney Advisor
PCT Legal Administration

Telephone: 571-272-3292
Facsimile: 571-273-0459